



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,680	01/24/2006	Chikara Takagi	284856US3XPCT	2917
22850	7590	01/22/2009		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HUDA, SAEED M	
			ART UNIT 1791	PAPER NUMBER
			NOTIFICATION DATE 01/22/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/565,680	Applicant(s) TAKAGI ET AL.	
	Examiner SAEED M. HUDA	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/04/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) 15-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/13/2006 and 05/29/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restriction

1. Applicant's election with traverse of claims 12-22 in the reply filed on 12/04/2008 is acknowledged
2. The Examiner has rescinded the restriction between previously designated groups I and II, but still maintains the rejection for previously designated group 3. Thus, a tire vulcanizing method is currently group I and a tire vulcanizer is currently group II.
3. 15-22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected group, there being no allowable generic or linking claim. The traversal is on the ground(s) that the groups are sufficiently related and that a through search for the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. The Examiner respectfully disagrees with Applicant. The tire vulcanizer (current group II) requires things such as a vertically extending frame, an upper mold arranged at a higher position than the mid position of the frame and guided on the frame to be vertically movable in axial alignment with the lower mold, and limitations related to the bladder positioning mechanism that are not required of the tire vulcanizing method (current group I).

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 1791

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Caretta (US 2002/0053759 A1).

Caretta disclose a method of molding and curing tires for vehicle wheels includes the steps of disposing a tire being processed on a toroidal support (bladder), enclosing the tire and the toroidal support inside a molding cavity (upper and lower mold portions) defined in a vulcanization mold, pressing the outer surface of the tire against the molding cavity walls, and administering heat to the tire to cause molecular crosslinking of the tire. The pressing step includes the steps of compressing side portions of the tire between the molding cavity walls and the outer surface of the toroidal support, concurrently with the closing step, and imposing an expansion to a radially-outer portion of the tire to bring the radially-outer portion of the tire against the walls of the molding cavity (abstract). It would naturally flow from the above disclosure that the bladder would also be contractible in order for the now formed tire to be removed and in preparation for the insertion of a new green tire. Caretta teach that the bladder 10 is bound by a pair of sleeves (seen in center of figure 1). Additionally, a centering shank 11 is utilized that passes through the center of the lower and upper molds, the green tire, the bladder, and the pair of sleeves (figure 1 and [0073]). Caretta teach that the tire is introduced into a vulcanization mould usually comprising a pair of cheeks adapted to be axially moved close to each other, which are arranged to operate on the tire bead and sidewalls, and at least one crown of circumferentially distributed sectors susceptible

Art Unit: 1791

of being radially moved close to each other so as to operate at the tire tread band. In more detail, cheeks and sectors are mutually movable between an open condition, in which they are spaced apart from each other to enable loading, of the tires being processed, and a closed condition in which they define a molding cavity the geometric conformation of which is the same as the outer surfaces of the tire to be obtained ([0004]). Additionally [0005] In one of the most widespread molding methods it is provided that a vulcanization bladder of elastomer material filled with high-temperature and high-pressure steam and/or another fluid should be inflated at the inside of the tire enclosed in the molding cavity. In this manner the tire is conveniently urged against the inner walls of the molding cavity and stabilized to the geometric configuration imposed to it, following a molecular crosslinking to which the elastomer material of which it is made is subjected, due to heat transmitted by the fluid through the bladder and by the mould walls ([0005]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAEED M. HUDA whose telephone number is (571)270-5514. The examiner can normally be reached on 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Griffin can be reached on (571) 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1791

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P. Griffin/
Supervisory Patent Examiner, Art
Unit 1791

/SAEED M. HUDA/
Examiner, Art Unit 1791